

REMARKS

This amendment is in response to the Office Action mailed March 12, 2002. The rejection of claims 1-17 under 35 USC 102(b) as anticipated by Bittman.

According to the present invention as defined by the amended claims, there is provided an apparatus for facilitating management by an individual of a physiological and or psychological state of said individual. As defined by claim 1 the individual shows on a display, a set of images chosen by the individual to oneself and then device allows the individual to choose images from the self chosen set of images which provide a preferred response for the individual and which provide a personalized image response profile for the individual. As defined by claim 6, the individual exposes one's self to a set of stimuli chosen by the individual. As defined by claim 6, the apparatus includes a device for allowing an individual to create a personalized preferred image response profile for one's self by having the individual show a first set of images chosen the individual to one's self and choosing images from the first set of images which provide a preferred image response profile. As defined by claim 12, a display is provided for allowing an individual to show a first set of images chosen by the individual to one's self.

The problems presented by Bittman and which are solved by the invention defined by the claims is that in the prior art as represented by Bittman are:

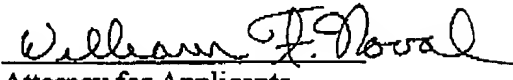
(1). There is no development of a personal image profile of an individual so as to provide for customized images, which are specifically tailored for the individual's as to manage a desired physiological and or psychological state. In Bittman, different images are not shown to the individual, but rather, a sequence of the same images. There is no development of a personal image profile disclosed in Bittman.

(2). In Bittman, the images or other stimuli for inducing change in the state of the individual are pre-selected by someone other than the user. The selection is often on a large number of subjects rather than being personalized for the individual. Columns 8 and 9 of Bittman described the Bittman process where a physician and technician do all of the selections used in the stress management process. In the claimed invention, the images displayed to the individual are chose by the individual. Moreover, the individual not someone else, chooses the images which best help the individual to manage one's physiological and or psychological state.

Claims 1-17 are clearly novel and nonobvious over the cited references and should be allowed. Speedy recovery is therefore solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is captioned "Version With Markings To Show Changes Made."

Respectfully submitted,

  
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**"Version With Markings To Show Changes Made."**

**In the Claims:**

Claims 1, 3, 6 and 12 have been amended as set forth below:

1. (Amended) Apparatus for [managing] facilitating management by an individual of a physiological and/or psychological state of [an] said individual using images comprising:

a display for [showing] a set of images allowing an individual to show to the individual chosen by the individual to one's self; and

a device for [choosing] allowing said individual to choose images from said set of images which provide a preferred response for said individual, wherein said chosen images provide common measurable physiological response characteristics which define a personalized image response profile for said individual.

3. (Amended) Apparatus for helping an individual manage his/her psychological and/or physiological state, comprising:

a first device for [showing] allowing an individual to expose a set of [stimuli to the individual] chosen by the individual to one's self;

a second device for measuring a physiological state of the individual as the individual [views] is exposed to said set of stimuli; and

a third device for recording stimuli from said set of stimuli which provide a preferred response based on the measured physiological state of the individual.

6. (Amended) Apparatus for [managing] facilitating management by an individual of a psychological and physiological state of [an] individual using images, comprising:

a device for [creating] allowing an individual to create a personalized preferred image response profile for [an individual] one's self by having the individual [view] show a first set of images and choosing images chosen by the individual to one's self from the first set of images which provide a

preferred respons for the individual, wherein said personalized preferred image response profile defines preferred characteristics which are representative of common characteristics of the chosen images;

a selector for selecting a second set of images from an image library which include characteristics that match the preferred characteristics of the personalized preferred image response profile; and

a display controlled by the individual for displaying the selected second set of images to [the individual] one's self to manage [a] one's psychological and physiological state [of the individual] .

12. (Amended) Apparatus for [managing] facilitating management by an individual of a psychological and physiological state of [an] said individual using images, comprising:

a display for [showing] allowing an individual to show a first set of images [to the individual] chosen by the individual to one's self;

a first device for measuring a physiological state of the individual as the individual views the first set of images; and

a second device for recording images from said first set of images which provide a preferred response based on the measured physiological state of the individual, and for creating a personalized preferred image response profile that defines preferred characteristics which are representative of common characteristics of the recorded preferred images.